

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

CHRIS PITHAN,

Plaintiff,

vs.

Civ. No. 01-1219 RLP/RHS

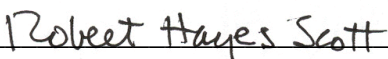
CLIFTON FODGE d/b/a  
EASYRIDERS OF ALBUQUERQUE,

Defendants.

REPORT AND RECOMMENDATION

On April 4, 2003, at 4:00 p.m. the undersigned United States Magistrate Judge conferred telephonically with counsel Brad Hall, Rick Feferman, and Deborah Mann regarding the scheduling of deadlines in the above captioned cause. Presently I have set a settlement conference for April 22, 2003. This was done at the request of counsel who asked that a settlement conference occur shortly before the conclusion of discovery, which is currently scheduled to close on May 2, 2003. The attorneys are working very well together and the conference was most cordial and professional. They indicated that first of all, they have prepaid tickets for out-of-state depositions in this case and asked me to move the settlement conference, which I agreed to do. In talking with counsel in more detail, it appears to me that they cannot realistically conclude discovery and file motions in a manner that would allow them to try the case before Judge Puglisi on September 15, 2003.

It is my respectful recommendation that Judge Puglisi vacate the trial setting for September 15, 2003, and extend discovery through August 31, 2003. I could then schedule a settlement conference the last two weeks in August.

  
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ROBERT HAYES SCOTT  
UNITED STATES MAGISTRATE JUDGE